

# LYNCHBURG CITY COUNCIL

## Agenda Item Summary

MEETING DATE: **June 25, 2002**

AGENDA ITEM NO.: 4

CONSENT:

REGULAR: **Work Session**

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: **Amendment To City Code To Allow Deer Hunting By Use Of Bow And Arrow**

### RECOMMENDATION:

Amend City Code (Article III: Weapons) by adding new Section 27-67.3 allowing bow hunting in the City limits.

### SUMMARY:

In response to concerns about the expanding deer population in the City, it has been suggested that the City Code be amended to allow the use of a bow and arrow for the purpose of deer hunting. The current code section only allows deer hunting by shotgun. The City would also need this code section added to participate in the Special Early Urban Archery Season in October of 2002. The proposed code section allows bow hunting under the same restrictions as applicable for hunting by shotgun.

Attached for your information is a letter from the Department of Game and Inland Fisheries regarding the upcoming special archery season in the fall. You can see what sort of restrictions other localities are placing on the season. Also attached for your information is a list of properties in the City where shotgun hunting of deer is authorized.

As requested by Council, a representative of the Department of Game and Inland Fisheries has been invited to attend the work session to answer questions on this matter.

PRIOR ACTION(S): None

BUDGET IMPACT: None

### CONTACT(S):

Colonel Charles W. Bennett, Jr.      847-1431  
Lt. Thomas B. Lawton              847-1338

ATTACHMENT(S):      Proposed code section 27-67.3  
                                 Letter from DGIF  
                                 List of Properties

REVIEWED BY:

## Ordinance

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF LYNCHBURG, 1981, BY ADDING THERETO A NEW SECTION NUMBERED 27-67.3 ENTITLED BOW HUNTING RELATING TO DISCHARGING AN ARROW FROM A BOW FOR THE PURPOSES OF DEER HUNTING WITHIN THE CITY LIMITS.

---

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by adding thereto Section 27-63.3 entitled Bow Hunting, as follows:

Sec. 27-67.3. Bow hunting.

(a) The provisions of Section 27-67 shall not apply when discharging an arrow from a bow for the purposes of deer hunting within the city limits under the following conditions:

(1) On land that is twenty-five (25) acres or more of contiguous area, and

(2) Used primarily for agricultural purposes, and

(3) The landowner has applied for an annual permit from the chief of police to use his property for this purpose. The permit shall be granted by the chief of police or his designee if the application meets the requirements of this section, and

(4) Any person discharging a bow as set forth above shall, at all times, while engaged in such activity, have in his possession written permission from the landowner to discharge such a weapon on his premises, and

(5) All hunting must be done in compliance with the laws of the Commonwealth of Virginia and the rules and regulations of the board of game and inland fisheries, and

(6) Arrows used for hunting must have a minimum width head of seven-eighths (7/8) of an inch and the bow used for such hunting must be capable of casting a broadhead arrow a minimum of one hundred twenty-five (125) yards.

(b) Discharge of a bow will be from an elevated tree stand.

(c) No person shall discharge a bow within one hundred (100) yards of any building, dwelling, street, sidewalk, alley, roadway or public land or public place within the city limits.

(d) It shall be unlawful to carry firearms while hunting with bow and arrow.

(e) No person shall hunt deer in the city by use of dog or dogs.

(f) Any person engaging in deer hunting must comply with any conditions and restrictions imposed by the chief of police as part of the permit.

2. That this ordinance shall become effective on its passage.

Adopted:

Certified:

\_\_\_\_\_  
Clerk of Council



RECEIVED

MAY 15 2002

COUNCIL/MANAGER  
OFFICES

## COMMONWEALTH of VIRGINIA

W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

Department of Game and Inland Fisheries  
1132 Thomas Jefferson Road  
Forest, Virginia 24.551-2269

William L. Woodfin, Jr.  
Director

May 13, 2002

Kimball Payne  
Lynchburg City Manager  
P O Box 60  
Lynchburg, VA 24505

Dear Mr. Payne,

The City of Lynchburg will be included in the upcoming special urban archery season. In all, we had 11 cities and towns and Fairfax County request to participate in the special urban archery season. This is more than we had expected for the first year.

Listed below is the text that will be put into our upcoming *Hunting & Trapping in Virginia* hunting digest regarding the upcoming urban archery season.

*What 's New for 2002-2003*

*Deer*

A special urban **archery** season has been created within the incorporated limits of designated cities and towns in the Commonwealth and in Fairfax County (see Special Archery Deer Seasons pg. ??).

*Early Special Urban Archery Season:*

**September 21–October 4** within the incorporated limits of the cities of Colonial Heights, Franklin, Lynchburg, Radford and the towns of Altavista, Amherst, Blacksburg, Bowling Green, Farmville, Narrows, Tazewell, and in Fairfax County. During this season only antlerless deer may be taken. **Special locality-specific restrictions may apply during this season. Please contact the city, county, or town or go to Early Special Urban Archery Season on the Department's Web page for specific restriction details ([www.dgi.state.va.us](http://www.dgi.state.va.us))**

You will note that we have not listed the locality specific restrictions that were adopted by many of the cities and town that have requested to participate. Hunters interested in participating in this season will have to contact the local city or town or our

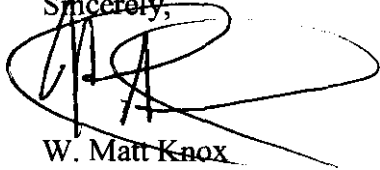
Department Web page. We will do everything we can (e.g., press releases, etc.) to get this information out to the public prior to mid September. We will have all the restrictions on our Web page by July 1, 2002. You will find attached a draft list of all the special regulations that have been requested. For those cities and towns and Fairfax County, which did not request any special regulations, we have just listed a generic restriction (listed below). Please check to make sure that our list matches what you requested.

- Hunters must abide by all applicable sections of the Virginia State Code and Virginia Hunting Regulations (including bag limits and tagging/checking requirements).

With our mandatory check station system, we should be able to document how many deer are taken next fall during this season. We will provide each participating locality with this information **after** the season. Also, if there are any problems or issues that come up locally relative to this season, we would appreciate it if you would let us know. We want to do everything we can to make this season as "user friendly" to local governments as we can.

If you have any questions or need any additional information, please don't hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Matt Knox', is written over the word 'Sincerely,' and extends across the first line of the typed name.

W. Matt Knox  
Deer Program Supervisor  
1132 Thomas Jefferson Road  
Forest, VA 2455 1  
(434) 525-7522  
(434) 525-7720 FAX  
mknox@dgif.state.va.us

## Special Early Urban Archery Season Locality Restrictions (in alphabetical order)

### **Altavista**

- No hunting within 100 yards of an occupied dwelling.
- No hunting on private property without written permission from the landowner.
- Hunting must be done from elevated stands.
- Hunters must register with the Altavista Police Department.
- Hunters must abide by all other applicable sections of the Virginia State Code and Virginia Hunting Regulations (including bag limits and tagging/checking requirements).

### **Amherst**

- Hunters must abide by all applicable sections of the Virginia State Code and Virginia Hunting Regulations (including bag limits and tagging/checking requirements).

### **Blacksburg (Further restrictions forthcoming)**

- Hunters must abide by all applicable sections of the Virginia State Code and Virginia Hunting Regulations (including bag limits and tagging/checking requirements).

### **Bowling Green**

- Hunters must abide by all applicable sections of the Virginia State Code and Virginia Hunting Regulations (including bag limits and tagging/checking requirements).

### **Colonial Heights**

- Hunters must abide by all applicable sections of the Virginia State Code and Virginia Hunting Regulations (including bag limits and tagging/checking requirements).

### **Fairfax County**

- Hunters must abide by all applicable sections of the Virginia State Code and Virginia Hunting Regulations (including bag limits and tagging/checking requirements).

### **Farmville**

- No hunting within 100 yards of a dwelling.
- Hunting is restricted to land that is five (5) or more acres under lease or ownership.
- Hunters must abide by all other applicable sections of the Virginia State Code and Virginia Hunting Regulations (including bag limits and tagging/checking requirements).

### **Franklin**

- Hunters must abide by all applicable sections of the Virginia State Code and Virginia Hunting Regulations (including bag limits and tagging/checking requirements).

### **Lynchburg**

- Hunting is restricted to land that is twenty-five (25) acres or more of contiguous area and used primarily for agricultural purposes.
- The landowner must apply for an annual permit from the Chief of Police.

- When hunting, all hunters must have in their possession written permission from the landowner.
- Hunting must be done from an elevated tree stand.
- No hunting within one hundred (100) yards of any building, dwelling, street, sidewalk, alley, roadway, or public land or public place within the city limits.
- Any person engaging in deer hunting must comply with any conditions and restrictions imposed by the Chief of Police as part of the permit.
- Hunters must abide by all **other** applicable sections of the Virginia State Code and Virginia Hunting Regulations (including bag limits and tagging/checking requirements).

**Narrows (Further restrictions forthcoming)**

- Hunters must abide by all applicable sections of the Virginia State Code and Virginia Hunting Regulations (including bag limits and tagging/checking requirements).

**Radford (Further restrictions forthcoming)**

- Hunters must abide by all applicable sections of the Virginia State Code and Virginia Hunting Regulations (including bag limits and tagging/checking requirements).

**Tazewell**

- Hunters must receive written permission from the property owner and present it to Chief of Police for a Town Permit.
- No hunting within 500 yards of a school or dwelling.
- Hunting is restricted to land that is a minimum of 10 (**ten**) acres.
- Hunting must be done from an elevated stand with a minimum height of 12 feet.
- Hunters must abide by all other applicable sections of the Virginia State Code and Virginia Hunting Regulations (including bag limits and tagging/checking requirements).

Jack K Lewis  
05/13/02 03:54 PM

To: Kimball Payne/CityHall/COL@COL  
Subject: Re: Deer Hunting with Bow & Arrow 

Mr. Payne,

There are currently ten (10) parcels of land within the City where hunting with shotguns has been approved by the Police Department. These approval are current, having been issued within the past twelve months

Owner/Agent Acres	Location
Bates 25	Overstreet Lane
Wooldridge 117	Greenview Drive
Bowen 110	Nationwide Drive
Hayes 66	Campbell Avenue
Spinner 94	Irvington Springs Road
Angel 30	Mimosa Road/ Irvington Springs Road
Moomaw 130	Irvington Springs Road
Graves 120	Graves Mill Road
Davis 143	Wythe Road
Burnett 33	Trents Ferry Road

If any further is needed , please advise.

Jack K. Lewis

Charles W Bennett



Charles W Bennett  
05/13/02 08:48 AM

To: Jack K Lewis/PubSafe/COL@COL, CT Carter/PubSafe/COL@COL  
cc:  
Subject: Deer Hunting with Bow & Arrow

----- Forwarded by Charles W Bennett/PubSafe/COL on 05113102 10:52 AM -----

Please provide the information requested in paragraph 3. involving the number of permits, and (if possible) the land area involved. Please let me know if this request presents a serious problem to prepare.

CWB